

06-03-04

RCE/1636  
J. IFW

RCE Transmittal  
Page 1

Attorney Docket No. 55424-Z/JPW/AJM/AAB



Application No. 09/851,071  
Filing Date May 8, 2001  
Inventor(s) Ann Marie Schmidt, et al.  
Group Art Unit 1636  
Examiner Name S. Kaushal  
Attorney Docket No. 55424-Z/JPW/AJM/AAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop RCE  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

June 1, 2004

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

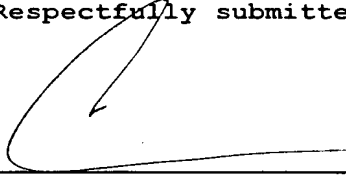
Sir:

This is a Request for Continued Examination under 37 C.F.R. § 1.114 of the above-identified application.

1. ☐ Consider the unentered amendment/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
3. ☒ Enclosed is/are  
☐ Amendment/Reply.  
☐ Affidavit(s)/Declaration(s).  
☐ Supplemental Information Disclosure Statement (IDS).  
☐ PTO-1449  
☐ Copies of IDS Citations  
☒ Other: Preliminary Amendment.
4. ☒ Small entity status under 37 C.F.R. § 1.27 is claimed.  
☐ A verified statement to establish small entity status is enclosed.

- X   A verified statement to establish small entity status was previously filed and such status is still proper and desired.
5.   X   A check in the amount of \$   385.00   is enclosed.
6.   X   The Commissioner is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No.   03-3125  .
- X   RCE fee required under 37 C.F.R. § 1.17(e).
- X   Extension of time fee (37 C.F.R. §§ 1.136 and 1.17).
- Other fees \_\_\_\_\_.
7.   X   Three copies of this sheet are enclosed.

Respectfully submitted,



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Alan J. Morrison  
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Dkt. 55424-Z/JPW/AJM/AAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ann Marie Schmidt, et al.  
Serial No.: 09/851,071 Group Art Unit: 1636  
Filed : October 12, 2000 Examiner: S. Kaushal  
For : A METHOD FOR INHIBITING TUMOR INVASION OR SPREADING  
IN A SUBJECT

1185 Avenue of the Americas  
New York, New York 10036  
June 1, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


**EXPRESS MAIL CERTIFICATE  
OF MAILING FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: EV181732139US  
Date of Deposit: June 1, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name: \_\_\_\_\_

Respectfully submitted,

  
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Registration No. 28,678  
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Sir:

**PRELIMINARY AMENDMENT**

This Preliminary Amendment is submitted in order to address the Examiner's remarks set forth in the January 26, 2004 Advisory Action issued by the United States Patent and Trademark Office in connection with the above-identified application. Applicants filed a Notice of Appeal on March 25, 2004. However, the return receipt was dated March 29, 2004, making an Appeal Brief due May 29, 2004. Since May 29, 2004 falls on a Saturday, a response filed on the next business day, i.e. Tuesday, June 1, 2004, is considered timely. Applicants are filing a Request for Continued Examination (RCE) herewith in lieu of an appeal brief. Accordingly, this Amendment and RCE are being timely filed.